



## DELAWARE DEPARTMENT OF TRANSPORTATION

Shailen Bhatt  
Secretary

### **PUBLIC NOTICE**

#### **Amendment to Standards and Regulations for Subdivision Streets and State Highway Access**

##### **Background**

The Delaware Department of Transportation (DelDOT), through its Division of Planning, seeks to adopt amendments to its existing regulations regarding subdivision streets and state highway access, with respect to the current provisions concerning Traffic Impact Studies (TIS) and Traffic Operational Analyses (TOA). Changes are proposed to several areas of Chapter 2, Traffic Impact Studies and several sections from Chapter 3, Site Plan Design, are proposed for movement to Chapter 2.

As detailed in the current Manual, DelDOT has broad statutory authority to regulate the process of determining whether, and under what conditions, property developers may gain access to the state highway system. These authorities include Sections 131, 141, 146, 507, and 508 of Title 17, Delaware Code; Chapter 41 of Title 21, Delaware Code; Section 6103 of Title 29, Delaware Code; and certain provisions in Title 9 of the Delaware Code.

DelDOT previously entered into agreements with county governments regarding TIS and TOA. For New Castle County, for example, the agreement calls for DelDOT, as part of its scoping of the study areas for TIS work, to assure that the study looks at a minimum number of intersections from the proposed site entrance(s). However, what is considered an intersection for this purpose may be subject to differing interpretations, and may risk unduly limiting or unduly expanding the TIS study area.

The draft regulations are intended to provide sufficient guidance to the state, local governments, the development community, and those interested in development matters in this regard. DelDOT wishes to assure that the study areas selected match well with what intersections the department reasonably expects to be significantly affected by the traffic from the subject property, given its proposed uses.

The proposed changes also include a new section on Transportation Improvement Districts, which were previously discussed in much less detail. The Department seeks to promote the creation of such districts as a superior approach to assessing the transportation impacts of development relative to Traffic Impact Studies for individual developments.

Other proposed changes include the addition of rules for the requirement of Traffic Operational Analyses, previously published as informal guidelines, and the changes to how contributions to the Traffic Signal Revolving Fund should be calculated. Public hearings will be held at the following locations:

New Castle County	Delaware State Police, Troop 2 100 Lagrange Ave Newark, DE 19702	Thursday September 13, 2012 Conference/Training Room 5-7 PM
Kent County	Delaware Department of Transportation Administration Building 800 Bay Road Dover DE 19901	Monday, September 17, 2012 Felton/Farmington Room 5-7 PM
Sussex County	Delaware Department of Transportation South District 23697 DuPont Highway Georgetown, DE 19947	Thursday, September 20, 2012 Conference Room 5-7 PM

The intent of the hearings is to inform the public about the changes and to solicit input prior to finalizing the regulations. The hearings will consist of a presentation on the regulatory changes and a question and answer session with DelDOT staff. Interested citizens are encouraged to contribute written questions or comments in advance of the hearing by sending them via email to Bill Brockenbrough at [Thomas.brockenbrough@state.de.us](mailto:Thomas.brockenbrough@state.de.us). Audience members may provide written questions or comments at the time of the hearing for the discussion or may provide verbal comments privately to a court reporter who will be present at each location. The number of questions addressed will be subject to the time available at the hearing. You may review the proposed changes on [www.deldot.gov](http://www.deldot.gov). The Department will take comments on the Regulations through October 20, 2012. The public may submit their comments to Bill Brockenbrough, County Coordinator, Development Coordination for Planning, via email ([Thomas.brockenbrough@state.de.us](mailto:Thomas.brockenbrough@state.de.us)) or in writing to his attention, Division of Planning, DelDOT, P.O. Box 778, Dover, DE 19903.

OR

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These locations are accessible to persons with disabilities. Any person having special needs or requiring special aid, such as an interpreter for the hearing impaired, is requested to contact DelDOT by phone or mail one week in advance. For further information contact the Office of Public Relations at 1-800-652-5600 (in DE) or 302-760-2080 or write to the address above.

Mr. T. William Brockenbrough  
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Delaware Department of Transportation  
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